

State of Arizona  
Senate  
Forty-eighth Legislature  
First Regular Session  
2007

# SENATE BILL 1338

AN ACT

AMENDING SECTIONS 16-314, 16-315 AND 19-115, ARIZONA REVISED STATUTES;  
RELATING TO PETITIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-314, Arizona Revised Statutes, is amended to  
3 read:

4 16-314. Filing and form of nomination petitions; definition

5 A. Any person desiring to become a candidate at any election and to  
6 have the person's name printed on the official ballot ~~shall~~, within the same  
7 time and with the same officer as provided by section 16-311, **SHALL** file a  
8 nomination petition in addition to the nomination paper required.

9 B. As used in this title, "nomination petition" means the form or  
10 forms used for obtaining the required number of signatures of qualified  
11 electors, which is circulated by or on behalf of ~~the person~~ **ONE OR MORE**  
12 **PERSONS** wishing to become a candidate for a political office.

13 C. Nomination petitions shall be captioned "partisan nomination  
14 petition" or "nonpartisan nomination petition", followed by the language of  
15 the petition in substantially the following form:

16 Partisan Nomination Petition

17 "I, the undersigned, a qualified elector of the county of  
18 \_\_\_\_\_, state of Arizona, and of (here name political  
19 division or district from which the nomination is sought) and a  
20 member of the \_\_\_\_\_ party or a person who is  
21 registered as no party preference or independent as the party  
22 preference or who is registered with a political party that is  
23 not qualified for representation on the ballot, hereby nominate  
24 \_\_\_\_\_ who resides at \_\_\_\_\_ in the county of  
25 \_\_\_\_\_ for the party nomination for the office of  
26 \_\_\_\_\_ to be voted at the primary election to be held  
27 \_\_\_\_\_ as representing the principles of such party,  
28 and I hereby declare that I am qualified to vote for this office  
29 and that I have not signed, and will not sign, any nomination  
30 petition for more persons than the number of candidates  
31 necessary to fill such office at the next ensuing election."

32 Nonpartisan Nomination Petition

33 "I, the undersigned, a qualified elector of the county of  
34 \_\_\_\_\_, state of Arizona, and of (here name political  
35 division or district from which the nomination is sought) hereby  
36 nominate \_\_\_\_\_ who resides at \_\_\_\_\_ in the  
37 county of \_\_\_\_\_ for the office of \_\_\_\_\_ to be  
38 voted at the \_\_\_\_\_ election to be held  
39 \_\_\_\_\_, and hereby declare that I am qualified to vote  
40 for this office and that I have not signed and will not sign any  
41 nomination petitions for more persons than the number of  
42 candidates necessary to fill such office at the next ensuing  
43 election."

1 D. The nomination petition of a person seeking to fill an unexpired  
2 vacant term for any public office shall designate the expiration date of the  
3 term following the name of the office being sought.

4 E. THE FILING OFFICER SHALL NOT PROHIBIT THE CIRCULATION AND FILING OF  
5 A JOINT NOMINATION PETITION. THE SECRETARY OF STATE SHALL ESTABLISH  
6 PROCEDURES FOR THE FILING OF JOINT NOMINATION PETITIONS IN THE INSTRUCTIONS  
7 AND PROCEDURES MANUAL THAT IS ADOPTED BY THE SECRETARY OF STATE AS PRESCRIBED  
8 IN SECTION 16-452 AND SHALL PROVIDE FOR THOSE PROCEDURES TO BE APPLICABLE FOR  
9 CANDIDATES IN THE 2008 PRIMARY ELECTION.

10 Sec. 2. Section 16-315, Arizona Revised Statutes, is amended to read:

11 16-315. Form of petitions

12 A. The nomination petitions shall be in substantially the following  
13 form:

14 1. Petitions shall be on paper fourteen inches wide and eight and  
15 one-half inches long.

16 2. Petitions shall ~~be headed by~~ HAVE a caption stating the purpose of  
17 the petition, followed by the body of the petition stating the intent of the  
18 petitioners. IF THE PETITION IS A JOINT PETITION FOR MORE THAN ONE CANDIDATE  
19 FOR OFFICE, THE PETITION SHALL BE LABELED "JOINT NOMINATION PETITION". FOR A  
20 JOINT NOMINATION PETITION, THE CAPTION AND BODY OF THE PETITION MAY BE PLACED  
21 AT THE BOTTOM OF THE PAGE.

22 3. THE CAPTION SHALL INCLUDE THE NAME AND ADDRESS OF THE CANDIDATE AND  
23 THE OFFICE THE CANDIDATE IS SEEKING. IF THE PETITION IS A JOINT PETITION FOR  
24 MORE THAN ONE CANDIDATE, THE CAPTION SHALL INCLUDE THE NAME AND ADDRESS OF  
25 EACH CANDIDATE AND THE OFFICE EACH CANDIDATE IS SEEKING.

26 ~~3-~~ 4. There shall be ~~fifteen~~ TEN lines spaced three-eighths of an  
27 inch apart and consecutively numbered one through ~~fifteen~~ TEN.

28 ~~4-~~ 5. The signature portion of the petition shall be divided into  
29 columns headed by the titles: signature; printed name; actual residence  
30 address or description of place of residence, city, town or post office; and  
31 date of signing.

32 ~~5-~~ 6. A photograph of the candidate may appear on the nomination  
33 petition.

34 B. The following shall appear on the petition:

35 Instructions for Circulators

36 1. All petitions shall be signed by circulator.

37 2. Circulator must be qualified to register to vote in  
38 this state.

39 3. Circulator's name shall be typed or printed under such  
40 person's signature.

41 4. Circulator's actual residence address or, if no street  
42 address, a description of residence location shall be included  
43 on the petition.

44 C. The secretary of state shall prepare sample nomination petition  
45 forms and distribute such forms to all election officers.

1           Sec. 3. Section 19-115, Arizona Revised Statutes, is amended to read:  
2           19-115. Unlawful acts; violations; classification

3           A. Every qualified elector of the state may sign a referendum or  
4 initiative petition upon any measure which he is legally entitled to vote  
5 upon.

6           B. A PETITION CIRCULATOR SHALL NOT INTENTIONALLY MAKE A MATERIAL  
7 MISREPRESENTATION OF AN INITIATIVE OR REFERENDUM TO DECEIVE A PERSON WHOM THE  
8 CIRCULATOR REQUESTS TO SIGN A PETITION. A SIGNATURE OBTAINED BY THIS  
9 DECEPTION IS INVALID.

10          C. A person knowingly signing any name other than his own to a  
11 petition, except in a circumstance where he signs for a person, in the  
12 presence of and at the specific request of such person, who is incapable of  
13 signing his own name, because of physical infirmity or knowingly signing his  
14 name more than once for the same measure, or proposed constitutional  
15 amendment, at one election, or who is not at the time of signing a qualified  
16 elector of this state, or any officer or person knowingly violating any  
17 provision of this chapter, is guilty of a class 1 misdemeanor unless another  
18 classification is specifically prescribed in this title.

19          D. ANY SIGNATURES OBTAINED IN VIOLATION OF THIS SECTION shall not be  
20 counted in determining the legal sufficiency of the petition.